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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 EMPLOYEE PAINTERS' TRUST, et al;
12 Plaintiffs,
13 v.
14 SIMAS FLOOR COMPANY, INC., et al,
15 Defendants.

Case No.: 2:12-CV-00848-KJD-VCF

**NOTICE AND ORDER OF
VOLUNTARY DISMISSAL OF
DEFENDANT GAIL SIMAS
WARD
[FRCP 41(a)(2)]**

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17 Plaintiffs Employee Painters' Trust, Northern Nevada Painters and Allied Trades Joint
18 Apprenticeship and Training Trust Fund, International Union of Painters and Allied Trades
19 Industry Pension Trust Fund, each by and through their designated fiduciaries, and by and
20 through their counsel, Christensen James & Martin ("Plaintiffs"), pursuant to FRCP Rule
21 41(a)(2), do hereby dismiss the above-entitled matter with prejudice as to Defendant Gail Simas
22 Ward only ("Ward").

23 The Dismissal shall in no way apply to the enforcement of the Stipulation for Entry of
24 Judgment by Confession and Judgment by Confession ("Judgment") in favor of the Plaintiffs and
25 against Ward, incorporated herein by reference, nor shall it operate as a release of Ward's
26 obligations to Plaintiffs under the Judgment, nor shall it operate as a waiver of the Plaintiffs

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1 rights under the Judgment.

2 DATED this 21st day of February, 2013.

3 CHRISTENSEN JAMES & MARTIN

4 By: /s/ Sara D. Cope
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11 IT IS SO ORDERED.

12 
13 DISTRICT COURT JUDGE
14 Dated this 3rd day of April 2013.